

COUNTY OF SAN DIEGO
Department of Planning and Land Use

Subject:

**PERMIT REQUIREMENTS FOR CARGO
CONTAINERS**

Policy
Number

MP-26

Effective
Date

Effective: 12-31-87
Update: 5-18-07

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PURPOSE

To provide a uniform policy on the review and issuance of building permits for cargo containers. This policy is to be used in conjunction with Section 6162 of the County Zoning Ordinance.

BACKGROUND

The shipping industry has found that there is a market for new, used and surplus cargo containers. Re-sold containers were first noticed in this County on individual lots being used as storage buildings. In some cases, containers have been converted to habitable space for offices, concession stands, work shops and other similar uses. Over the years, complaints have been made that many cargo containers are unsightly and are incompatible with surrounding land uses and the community character. In response, the Board of Supervisors approved an amendment to the Zoning Ordinance (Section 6162) that regulates the look and location of such containers. Policy MP-26 is being developed to ensure consistency in ordinance interpretation and implementation.

PROCEDURES

Cargo containers shall be treated in the following manner:

1. Must fully comply with Section 6162 of the County of San Diego Zoning Ordinance
2. As used in Section 6162(b)(1), cargo containers must meet setback requirements for accessory structures.
3. As used in Section 6162(b)(3), a "primary residential use" is defined as the presence of a legal residence on the property. A "primary agricultural use" is defined as the presence of an existing on-site agricultural operation. Property owners claiming to be an agricultural operation must provide at least one of the following certificates before a building permit for a cargo container can be issued. Failure to provide any one of these certificates shall result in the cargo container complying with the residential requirements of Section 6162, including subsection (7).
 - a. Copy of Schedule F of the property owner's previous years Income Tax Return;
 - b. Operation Identification Number (a "P" for production agriculture will supersede the identification number) – issued by Agriculture, Weights and Measures;
 - c. Restricted Materials Permit – issued by Agriculture, Weights and Measures;
 - d. Nursery License – issued from California Department of Food and Agriculture;
 - e. Organic Grower License – issued by California Department of Food and Agriculture; or,
 - f. Certified Grower License – issued by Agriculture, Weights and Measures
4. The applicant shall select one color from the list of approved colors below, as discussed under Section 6162(b)(5), to paint the container(s) on the parcel. This list includes the following:

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- a. Flat, non-reflective dark green to match the surrounding area;
 - b. Flat, non-reflective white (this color is typically limited to AG uses);
 - c. Flat, non-reflective, tan to match the surrounding area; or,
 - d. Other solid neutral color that matches the surrounding natural environment (applicant must provide pictures of surrounding area to show compliance)
5. Cargo containers can only be used for storage; any other use (e.g. office, residence) is prohibited.
6. For projects subject to Section 6162(7)(i)
 - a. The cargo container shall not be visible from that portion of any roadway (whether public or private road easement) that directly abuts the subject parcel. Staff who are reviewing the plans must discuss this requirement with the applicant and stress that cargo containers that fail to comply will not receive final inspection. The Building Inspector will be responsible for ensuring compliance.
 - b. Cargo containers that are visible from the roadway and not completely screened by existing landscaping, as described under 6.a above shall be screened with common construction materials that are similar in appearance with the main residence. Solid fencing is also acceptable so long as the fence complies with Zoning Ordinance requirements. Proposals to install new landscaping as a screening method is not acceptable.
7. For projects subject to Section 6162(7)(ii), the following condition must be placed on the building permit prior to issuance.

“Pursuant to Section 6162(7)(ii) of the County Zoning Ordinance, the subject cargo container is only permitted for a period not to exceed 180 consecutive days, starting from the date of permit issuance. At the conclusion of the use, a demolition permit shall be required to confirm the removal of subject cargo container.”

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